

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
)
vs.) CASE NO. 3:13-CR-161-PLR-HBG
)
FERNANDO AMAYO GONZALEZ)

ORDER

On October 29, 2014, the Honorable H. Bruce Guyton, United States Magistrate Judge, filed an 11-page Report and Recommendation (R&R) [R. 519], in which he recommended that the matter of the ethical violation by Attorney Casey Caldwell be deemed moot, and that the \$7,500 presently held in the Court's registry be paid into the CJA fund to be used to compensate appointed defense counsel.

There being no timely objections to the R&R, *see* 28 U.S.C. § 636(b)(1), and the Court being in complete agreement with the Magistrate Judge, the R&R is hereby **ACCEPTED IN WHOLE**, and incorporated into this Order. The following action is taken:

1. The Court agrees with Judge Guyton's finding that there is not enough evidence to find that Attorney Casey Caldwell knowingly filed a document falsely representing another attorney's endorsement. Additionally, Caldwell has represented to the Court that he is leaving the practice of law. Therefore, the court finds the potential ethical violation by Attorney Casey Caldwell is **MOOT**.

2. The \$7,500 retainer deposited into the Court's registry, shall be paid into the Court's CJA fund to be used towards payment of defendant's appointed counsel.

IT IS SO ORDERED.

Enter:


UNITED STATES DISTRICT JUDGE